

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, SEPTEMBER 25, 2006

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION VIRGINIA POWER

CASE NO. PUE-2006-00091

For a certificate of public convenience
and necessity for facilities in Stafford County:
Garrisonville 230 kV Transmission Line
and 230 kV-34.5 kV Garrisonville Switching Substation

ORDER FOR NOTICE AND HEARING

On August 30, 2006, Virginia Electric and Power Company d/b/a Dominion Virginia Power ("Company") filed its Application of Virginia Electric and Power Company for Approval and Certification of Electric Facilities: Garrisonville 230 kV Transmission Line and 230 kV-34.5 kV Garrisonville Switching Substation, Application No. 230 (hereinafter Application); Appendix to the Application; DEQ Supplement to the Application; and Direct Testimony and Exhibits. As required by statute, Dominion Virginia Power seeks a certificate from the State Corporation Commission ("Commission") that the public convenience and necessity require the construction of a transmission line and a switching substation in Stafford County.

Dominion Virginia Power proposes to construct and operate a 230 kV transmission line from a point on the Company's existing Possum Point-Fredericksburg 230 kV Line # 252. The origination point on Line #252 would be approximately one-half mile north of the Company's existing Stafford Substation. The proposed line would extend for approximately five miles to a new Garrisonville Switching Substation. The substation would be located in the vicinity of Shelton Shop Road and Mountain View Road. (Application at 2.) The transmission line and the

proposed Garrisonville Switching Substation would be constructed entirely within a right-of-way acquired by the Company in the 1960's. (Id.)

As provided by § 62.1-44.15:5 D 2 of the Code of Virginia (hereinafter Code), the Commission and the State Water Control Board must consult on wetland impacts prior to the siting of electric utility facilities that require a certificate of public convenience and necessity. As required by Section 3 of the Department of Environmental Quality-State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts (July 2003), the Department of Environmental Quality, acting for the State Water Control Board, advised the Commission Staff that it had reviewed information on the proposed transmission line and switching substation in Stafford County provided by the Company. (Letter of July 10, 2006, from Catherine M. Harold, Department of Environmental Quality, to Wayne N. Smith, State Corporation Commission, appearing as Attachment 2.B.3 to the DEQ Supplement to the Application.) The Department of Environmental Quality made recommendations and identified federal and state permits, which might be required for the Company's transmission line and station.

The Commission finds that Dominion Virginia Power's Application includes the information necessary for the notice to the public, which is required by §§ 56-46.1 B and 56-265.2 of the Code. We also find that the filing conforms to the State Corporation Commission Rules of Practice and Procedure (hereinafter SCC Rules of Practice) 5 VAC 5-20-10 *et seq.* We further find that, as required by § 62.1-44.15:5 D 2 and related provisions of the Code, consultation on wetland impacts has commenced.

Accordingly, the Commission will docket the Application and direct the Company to give notice of this proceeding. In addition, we will set the Application for hearing before a

hearing examiner and establish related procedures. We further direct the Commission Staff to investigate the Application and to file testimony and exhibits on the results of its investigation. Additionally, we are prescribing some additional procedures and modifying some provisions of the SCC Rules of Practice for this proceeding.

Accordingly, IT IS ORDERED that:

(1) As provided by §§ 56-46.1, 56-265.2, and related provisions of Title 56 of the Code, this matter be docketed as Case No. PUE-2006-00091 and that all associated papers be filed therein.

(2) A public hearing be held on January 25, 2007, beginning at 1:30 p.m. and reconvening at 7:00 p.m. in the Board of Supervisors Chambers, Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, to receive the testimony of public witnesses participating as provided by SCC Rules of Practice 5 VAC 5-20-80 C, Public witnesses.

(3) The public hearing be resumed at 10:00 a.m. on March 19, 2007, in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia, to receive the testimony of additional public witnesses and the testimony and exhibits of the Company, any respondents, and the Commission Staff.

(4) As provided by § 12.1-31 of the Code and SCC Rules of Practice 5 VAC 5-20-120, *Procedure before Hearing Examiners*, a hearing examiner be appointed to conduct further proceedings in this matter on behalf of the Commission and to file a final report.

(5) As provided by SCC Rules of Practice 5 VAC 5-20-80 C, Public witnesses, written comments on the application may be filed by January 25, 2007, by either of the following methods:

A. Comments may be submitted in writing to the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Diskettes, compact disks, or any other form of electronic storage medium may not be filed with comments. All correspondence shall refer to Case No. PUE-2006-00091.

Or

B. Comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/caseinfo.htm>.

(6) As provided by SCC Rules of Practice 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-150, *Copies and format*, an original and 15 copies of all formal pleadings; related documents (except **responses** to interrogatories and **responses** to requests for production of documents and things); prepared testimony and exhibits filed as provided by SCC Rules of Practice 5 VAC 5-20-240, *Prepared testimony and exhibits*; interrogatories or requests for production of documents or things filed as provided by SCC Rules of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*; and requests to examine workpapers filed as provided by SCC Rules of Practice 5 VAC 5-20-270, *Hearing preparation*, shall be filed with the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 1197, Richmond, Virginia 23218-1197. A copy of all pleadings shall be served on Company counsel, Stephen H. Watts, II, Esquire, McGuireWoods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219-4030, and Jill C. Nadolink, Esquire, Dominion Resources Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219; each respondent; and Commission Staff counsel, Wayne N. Smith, Office of General Counsel, P.O. Box 1197, Richmond, Virginia 23218-1197. Electronic filing with the Commission Clerk shall be made

only as provided by the Commission's Electronic Filing Experiment. See

<http://www.scc.virginia.gov/division/clk/docfile.htm>.

(7) As provided by SCC Rules of Practice 5 VAC 5-20-10, *Applicability*, SCC Rules of Practice 5 VAC 5-20-150, *Copies and format*, shall be supplemented for this proceeding as follows. All counsel and all respondents should include in all formal pleadings and related documents an E-mail address and a facsimile number, if available.

(8) As provided by SCC Rules of Practice 5 VAC 5-20-10, *Applicability*, SCC Rules of Practice 5 VAC 5-20-140, *Filing and service*, shall be supplemented for this proceeding as follows. If the Commission authorizes the Commission Clerk to close the Clerk's Office for a portion of the day, a filing due on that day will be timely if made on the next regular business day when the office is open to the public.

(9) On or before November 13, 2006, any person or entity that expects to participate as a respondent in this proceeding shall file with the Commission Clerk an original and fifteen (15) copies of a notice of participation as required by SCC Rules of Practice 5 VAC 5-20-80 B, Participation as a respondent, and shall simultaneously serve a copy on Company counsel identified in Ordering Paragraph (6) and Commission Staff counsel identified in Ordering Paragraph (6). Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by SCC Rules of Practice 5 VAC 5-20-30, *Counsel*.

(10) As soon as practicable after November 13, 2006, the hearing examiner assigned to this case shall enter a ruling that identifies all respondents and all respondents' counsel.

(11) Within five (5) business days of receipt of a notice of participation as a respondent as required by Ordering Paragraph (9), the Company shall serve upon the respondent a copy of this Order and a copy of the Application; the Appendix to the Application; the DEQ Supplement

to the Application; and the Direct Testimony and Exhibits, unless these materials have already been provided to the respondent.

(12) On or before January 16, 2007, each respondent may file with the Commission Clerk and serve on Company counsel identified in Ordering Paragraph (6), all respondents, and Commission Staff counsel identified in Ordering Paragraph (6) the testimony and exhibits by which it expects to establish its case. Respondents shall comply with SCC Rules 5 VAC 5-20-240, *Prepared testimony and exhibits*.

(13) The Commission Staff shall investigate the Company's application. On or before February 16, 2007, the Commission Staff shall file with the Commission Clerk the testimony and exhibits that it intends to present at the hearing, and the Commission Clerk shall serve a copy on Company counsel and on the respondents.

(14) On or before March 5, 2007, the Company may file with the Commission Clerk testimony and exhibits that it expects to offer in rebuttal to the testimony and comments of public witnesses and the prepared testimony and exhibits of the respondents and the Commission Staff and shall serve copies on all respondents and on Commission Staff counsel.

(15) As provided by SCC Rules of Practice 5 VAC 5-20-10, *Applicability*, SCC Rules of Practice 5 VAC 5-20-110, *Motions*, shall be modified for this proceeding as follows. (i) Any response shall be filed within four (4) business days of service of a motion for ruling on the validity of an objection filed as provided by SCC Rules of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*. (ii) If multiple parties respond to a motion, the movant may file one reply to all responses within ten (10) business days of the filing of the last response in lieu of a reply to each response.

(16) As provided by SCC Rules of Practice 5 VAC 5-20-140, *Filing and service*, SCC Rules of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be supplemented for this proceeding as follows. In addition to service of the written interrogatory to a party or request for production of documents and things required by SCC Rules of Practice 5 VAC 5-20-260, the filing party shall also serve electronically, or by facsimile, a copy of the interrogatory or request for production on counsel to the party to whom the interrogatory or request for production is directed.

(17) On or before September 29, 2006, the Company shall serve a copy of this Order on the chairman of the board of supervisors of Stafford County. Service shall be made by first-class mail or delivery to the customary place of business of the person served.

(18) On or before October 22, 2006, the Company shall cause to be sent by first-class mail copies of the notice prescribed in Ordering Paragraph (19) below and the sketch map of the Proposed Route in the Application Appendix at 62 to all owners, as of the date of this Order, of property within the route of the proposed line, as indicated on the map or sketch of the route filed with the Commission, which requirement shall be satisfied by mailing the notice to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, or treasurer of the county or municipality.

(19) On or before October 22, 2006, the Company shall publish in two successive weeks the following notice and the sketch map of the proposed route filed in the Application Appendix at 62 as display advertising (not classified) in a newspaper of general circulation in Stafford County:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
VIRGINIA ELECTRIC AND POWER COMPANY
D/B/A DOMINION VIRGINIA POWER
FOR APPROVAL OF A TRANSMISSION LINE AND
SWITCHING SUBSTATION IN
STAFFORD COUNTY

STATE CORPORATION COMMISSION
CASE NO. PUE-2006-00091

On August 30, 2006, Virginia Electric and Power Company, d/b/a Dominion Virginia Power ("Company"), filed its Application of Virginia Electric and Power Company for Approval and Certification of Electric Facilities: Garrisonville 230 kV Transmission Line and 230 kV-34.5 kV Garrisonville Switching Substation. Dominion Virginia Power proposes to construct and operate a 230 kV transmission line from a point on the Company's existing Possum Point-Fredericksburg 230 kV Line # 252. The origination point on line # 252 would be approximately one-half mile north of the Company's existing Stafford Substation. The line would extend for approximately five miles to a new Garrisonville Switching Substation. The substation would be located in the vicinity of Shelton Shop Road and Mountain View Road. The transmission line and the proposed Garrisonville Switching Substation would be constructed entirely within a right-of-way previously acquired by the Company.

A description of the proposed route for the transmission line follows:

The proposed line will be entirely within a 335-foot right-of-way obtained by Virginia Electric and Power Company in the 1960's. The proposed line will be 5 miles long and begin at a tap of the Company's existing 230 kV Possum Point - Fredericksburg Line #252 at a point one-half mile north of the Company's Stafford Substation and 100 feet south of Channel Drive in Aquia Harbour. It crosses Aquia Drive between Portugal Drive and Pilgrim Cove and continues west along the southern boundary of Aquia Harbour. It crosses Route 1 0.2 mile north of Foreston Woods Drive and continues west across I-95. The line continues west between the Shadow Woods and Hampton Oaks Subdivisions to the north and Austin Ridge Subdivision to the south. The line crosses Mine

Road 950 feet north of Austin Ridge Drive; continues west, and crosses Eustace Road 200 feet east of Gray Birch Court. Continuing west, the line crosses Wet Rock Lane 350 feet north of Embrey Mill Road and Winding Creek Road 100 feet north of Embrey Mill Road. The proposed line is located south of the Berkshire Subdivision, crosses Walpole Street 750 feet southwest of Bruce Street, and continues northwest between Rodney Thompson Middle School and Stowe of Amyclae Subdivision. The route crosses Shelton Shop Road 600 feet northeast of Courthouse Road. It angles west 900 feet northwest of Shelton Shop Road before entering Shelton's Run Subdivision. The proposed line crosses Walt Whitman Blvd. 550 feet south of Katrine Court and continues west 600 feet to the Garrisonville Substation property.

The Company proposes to construct the new line in the southern portion of the right-of-way, separated from the southern edge by an existing distribution line that runs from the tap point on Line #252 westward to Walpole Street. The Company has identified for the Commission's consideration an alternative location of the new line in the center of the existing right-of-way parallel to, and 102.5 feet north of, the proposed line.

All distances and directions are approximate. The Commission may consider and approve a route not significantly different from the routes described in this notice without additional notice to the public.

A public hearing on the application will be held on January 25, 2007, beginning at 1:30 p.m. and reconvening at 7:00 p.m. in the Board of Supervisors Chambers, Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, to receive the testimony of public witnesses. The public hearing will resume at 10:00 a.m. on March 19, 2007, in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia, to receive testimony from additional public witnesses and evidence on the application from the Company, any respondents, and the Commission Staff.

Any person desiring to make a statement at the public hearing should appear at the hearing location fifteen (15) minutes

before the starting time on the day of the hearing and contact the Commission's Bailiff.

Individuals with disabilities who require an accommodation to participate in the hearings should contact the Commission at least seven (7) days before the scheduled hearing dates at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

The application and related documents may be inspected in the Commission's Document Control Center, Office of the Clerk of the Commission, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia, during Commission business hours. The application, unofficial copies of the Commission's Orders, and other documents related to the case may be viewed on the Commission's website, <http://www.scc.virginia.gov/caseinfo.htm>.

Copies of the application may be inspected during regular business hours at the following locations:

Dominion Virginia Power
Riverside Building, 5th Floor
120 Tredegar Street
Richmond, VA
Attention: Gail Lamm

Stafford County
Department of Planning and Community Development
1300 Courthouse Road
Stafford, VA

Stafford County
Administrative Offices
1300 Courthouse Road
Stafford, VA

Comments on the application may be filed by January 25, 2007, by either of the following methods:

Comments may be submitted in writing to the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Diskettes, compact disks, or any other form of electronic storage medium may not be filed with comments. All correspondence shall refer to Case No. PUE-2006-00091.

OR

Comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/caseinfo.htm>. Electronic comments may not exceed 10 MB.

Interested persons, organizations, corporations, and government entities may participate in this proceeding as respondents as provided by the State Corporation Commission Rules of Practice and Procedure 5 VAC 20-10 *et. seq.* An organization, corporation, or government entity participating as a respondent must be represented by counsel as required by the State Corporation Commission Rules of Practice and Procedure 5 VAC 5-20-30, *Counsel*. A notice of participation as a respondent must be filed with the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, by November 13, 2006, in conformity with State Corporation Commission Rules of Practice and Procedure 5 VAC 5-20-80 B, *Participation as a respondent*, and the requirements set by the Commission Order for Notice and Hearing entered in this proceeding. Any person, organization, corporation, or government entity considering participation as a respondent should review the Commission Order for Notice and Hearing in this proceeding. The Commission Rules of Practice and Procedure, the unofficial version of the Commission's Order for Notice and Hearing, and other information may be viewed at <http://www.scc.virginia.gov/caseinfo.htm>. An official copy of the Commission's Order for Notice and Hearing may be obtained from the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(20) On or before October 11, 2006, the Company shall file with the Commission Clerk a certificate of the mailing of notice prescribed by Ordering Paragraph (17). The certificate shall include the name and address of the officials served.

(21) On or before November 20, 2006, the Company shall file with the Commission Clerk a certificate of the mailing of the notice to owners of property prescribed by Ordering Paragraph (18). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of this information.

(22) On or before November 20, 2006, the Company shall file with the Commission Clerk proof of the newspaper publication directed by Ordering Paragraph (19).

AN ATTESTED COPY hereof shall be sent by the Commission Clerk to Stephen H. Watts, II, Esquire, McGuireWoods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219-4030, and Jill C. Nadolink, Esquire, Dominion Resources Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219; and Commission's Office of General Counsel and Division of Energy Regulation.